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NPL102071.E

Nepal: Reports of forced recruitment by Maoist forces; response by government authorities (January 2006 - December 2006)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

A peace agreement was signed in November 2006 between the government of Nepal and Maoist forces, ending a conflict that had been ongoing for more than 10 years (BBC 21 Nov. 2006; *LA Times* 22 Nov. 2006; *IHT* 2 Dec. 2006; *NY Times* 21 Nov. 2006).

In November 2006, with the peace agreement expected to be signed within days, the Nepal branch of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Children's Fund (UNICEF) expressed concern that "even now children under 18 are still being recruited, voluntarily or forcibly, by the CPN [Communist Party of Nepal]-Maoist, in violation of international standards and their own commitments" (UN 19 Nov. 2006). An article published by *Nepal Human Rights News (NHRN)* also reports that, regardless of the ceasefire and peace process, Maoists are still "forcing youngsters and youth to join their troops without consent of the concerned individuals" (19 Nov. 2006).

In December 2006, the *International Herald Tribune (IHT)* reported a United Nations (UN) official as saying, "we do still get regular reports of recruitment ... [m]ost of it appears to be willing, but some of it is forced" (*IHT* 2 Dec. 2006). The UN official reportedly declined to be named to avoid threatening his relationship with the Maoists (*ibid.*).

The *IHT* reports that the reason the Maoists are seeking to increase the ranks of their army, subsequent to signing the peace accord, is to gain more spots in the new Nepali army and therefore more political influence (2 Dec. 2006). The Maoists, however, deny they are continuing to recruit to add to their army (*IHT* 2 Dec. 2006; *New York Times* 21 Nov. 2006).

Previous to the date of the signing of the peace agreement on 21 November 2006 (ICG 15 Dec. 2006; HRW 1 Dec. 2006), Amnesty International (AI) expressed "serious concerns" about the abduction and recruitment of children by Maoist forces (23 Mar. 2006). Likewise, in testimony given before the United States (US) Senate Foreign Relations Committee in May 2006, the Research Director of Human Rights Watch (HRW) testified that, in areas under their control, the Maoists "forced every household to provide them with at least one person; where no adult was available, children, often girls, were forced to

join the Maoist ranks" (HRW 18 May 2006). Over the course of the conflict, the Maoists reportedly had controlled "large swaths" of the countryside (*LA Times* 22 Nov. 2006; *New York Times* 21 Nov. 2006).

Among the sources consulted by the Research Directorate within the time constraints of this Response, no information could be found specifically regarding the response by the government to incidents of forced recruitment on the part of the Maoists.

However, HRW reports that the Nepalese army, as well as the Maoists, detained people over the course of the conflict and that more than one thousand of these people are considered "disappeared" (HRW 1 Dec. 2006). Moreover, HRW states that

not a single case of enforced "disappearance" or extrajudicial execution has been adequately investigated by civilian judicial authorities, much less brought to court. Even after the parties ceased hostilities in May, the army has refused to cooperate with investigations instigated by the national police or by monitors from the United Nations Office of the High Commissioner for Human Rights. (ibid.)

With respect to the civilian police force, the South Asia Terrorism Portal (SATP) reports that only 110 of Nepal's 1,135 police stations are "still operational" (n.d.). Moreover, the same source stated that the "ill equipped and demoralized" police force focuses "overwhelmingly [on] guarding their own bases, rather than engaging in "aggressive counter-terrorism operations" against the Maoists (SATP n.d.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: Himrights and the National Human Rights Commission did not provide information within the time constraints of this Response.

Internet sites, including: AsiaNews.it, Factiva, Human Rights Organization of Nepal, Himrights, Lifeline, Nepal Human Rights Commission, US Department of State.

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